

FORM PTO-1390  
(REV 10-94)

DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

600.346USWO

09/308830

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

INTERNATIONAL APPLICATION NO.

PCT/US97/22228

INTERNATIONAL FILING DATE

05 December 1997 (05.12.97)

PRIORITY DATE CLAIMED

06 December 1996 (06.12.96)

TITLE OF INVENTION

MUTANTS OF STREPTOCOCCAL TOXIN A AND METHODS OF USE

APPLICANT(S) FOR DO/EO/US

SCHLIEVERT, Patrick M.; ROGGIANI, Manuela; STOEHR, Jennifer; and OHLENDORF, Douglas

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. *Was previously submitted to the United States Patent and Trademark Office, Box Assignments on May 12, 1998, copy enclosed - Reel and Frame number unknown.*
13. ☒ A FIRST preliminary amendment.  
☐ A SECOND of SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:  
Response to Invitation to Furnish Nucleotide and/or Amino Acid Sequence Listing

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)X

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17. x The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492(a) (1)-(5)):**

Search Report has been prepared by the EPO or JPO.....\$840.00

International preliminary examination fee paid to USPTO  
(37 CFR 1.492).....\$670.00No international preliminary examination fee paid to USPTO (37 CFR 1.482)  
but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$790.00Neither international preliminary examination fee (37 CFR 1.482) nor  
international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....\$970.00International preliminary examination fee paid to USPTO (37 CFR 1.482)  
and all claims satisfied provisions of PCT Article 33(2)-(4) .....\$96.00**ENTER APPROPRIATE BASIC FEE AMOUNT =****CALCULATIONS** PTO USE ONLY

\$970.00

Surcharge of \$130.00 for furnishing the oath or declaration later than [ ] 20 [ ] 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	18 -20 = 0		X \$18.00
Independent claims	1 -3 = 3		X \$78.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00

\$

\$

\$

**TOTAL OF ABOVE CALCULATIONS =** \$970.00Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity  
Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).

\$

**SUBTOTAL =** \$970.00Processing fee of \$130.00 for furnishing the English translation later than [ ] 20 [ ] 30  
months from the earliest claimed priority date (37 CFR 1.492(f)).

+ \$

**TOTAL NATIONAL FEE =** \$970.00Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

+ \$

**TOTAL FEES ENCLOSED =** \$970.00Amount to be:  
refunded \$

charged \$

a. X A check in the amount of \$970.00 to cover the above fees is enclosed.

b. [ ] Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.c. X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 13-2725. A duplicate copy of this sheet is enclosed.**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR  
1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SIGNATURE:

Ronald A. Daigault

NAME

25,968

REGISTRATION NUMBER

SEND ALL CORRESPONDENCE TO:

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